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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,067	06/01/2001	Christopher M. Tobin	50P4053.01	3986

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EXAMINER	
ZHOU, TING	
ART UNIT	**PAPER NUMBER**
2173	9

DATE MAILED: 05/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/873,067	TOBIN ET AL.	
	Examiner	Art Unit	
	Ting Zhou	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 April 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *17-40* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *17-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *5 April 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. The amendment filed on 05 April 2004 have been received and entered. Claims 1-16 have been cancelled by the Applicant. Claims 17-40 as amended are pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims17-18, 21-24, 27-30, 33-36 and 39-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Sponheim et al. U.S. Patent 6,639,610 and Williams et al. U.S. Patent 5,945,988.

Referring to claims 17, 23, 29 and 35, Sponheim et al. teach a method, apparatus, means and computer readable storage comprising identifying a particular resource displayed on a first web page (a button located on the web page), determining whether an entry corresponding to the particular resource is contained in a database local to the user that correlates supplemental information to each of a plurality of resources (determining the URL assigned to the user, which is stored in a cookie data structure, which is local to the user's computer), wherein the database is separate from the first webpage and the first web page is ordinarily devoid of the supplemental information (if the user does not click on the button, the information associated with the button, such as the URL assigned to the button, will not be displayed), and displaying supplemental information for the particular resource (displaying the information associated with the button)

(Sponheim et al.: column 3, lines 50-59 and column 4, lines 40-56). For example, Sponheim et al. give the example of a button "204" assigned to CNN. When the user clicks on the button, which is the first resource, the system determines whether the database contains a URL assigned to the button and if so, it will start playing the supplemental CNN broadcast on the computer, as recited in column 6, lines 46-62 and further shown in Figure 2. However, Sponheim et al. fail to explicitly teach displaying supplemental information for the particular resource along with and separate from the first web page where it is determined that the database contains an entry for the particular resource. Williams et al. teach the display of supplemental information (supplemental information such as advertising targeted to a particular user or news stories identified as of interest to a user can be found and downloaded from the user profile database stored on the entertainment system local to the user) (Williams et al.: column 6, lines 8-32) similar to that of Sponheim et al. In addition, Williams et al. further teach displaying supplemental information for the particular resource along with and separate from the resource, where it is determined that the database contains an entry for the particular resource (displaying the supplemental programming information in a pop-up window on the television/monitor; for example, Joe is watching channel 11 on his television or monitor, and supplemental information related to channel 11 is displayed along with but separate from the channel, in its own window) (column 5, lines 55-62 and column 11, lines 20-23). It would have been obvious to one of ordinary skill in the art, having the teachings of Sponheim et al. and Williams et al. before him at the time the invention was made, to modify the method of displaying supplemental information of Sponheim et al. to include the display of supplemental information along with and separate from the first web page, as taught by Williams et al. One would have been motivated to make such a

combination in order to allow users to view all the relevant information corresponding to a particular subject at the same time; this allow users to be able to compare the information presented side-by-side.

Referring to claims 18, 24, 30 and 36, Sponheim et al. teach the particular resource is a link to a second webpage (the preset buttons provide links to the supplemental information) (column 3, lines 36-59 and column 6, lines 58-62). Also, Figure 4 shows the hyperlinks "Listen" and "visit home page", which links to a second webpage.

Referring to claims 21, 27, 33 and 39, Sponheim et al. teach detecting an event relating to the particular resource, wherein the event prompts the display of supplemental information for the particular resource (for example, user clicking on the CNN button "204", prompting the display of the CNN broadcast) (column 6, lines 58-62).

Referring to claims 22, 28, 34 and 40, Sponheim et al. teach an event relating to the particular resource (cursor selection of a button) and the display of supplemental information corresponding to the particular resource (Sponheim et al.: column 6, lines 58-62). However, Sponheim et al. fail to explicitly teach the event being a cursor rollover of the particular resource and the supplemental information is superimposed on the first webpage in the vicinity of the display of the particular resource. Williams et al. teach the display of supplemental information (supplemental information such as advertising targeted to a particular user or news stories identified as of interest to a user can be found and downloaded from the user profile database stored on the entertainment system local to the user) (Williams et al.: column 6, lines 8-32) similar to that of Sponheim et al. In addition, Williams et al. further teach the event being a cursor rollover of the particular resource (column 7, lines 42-51) and the supplemental

information is superimposed on the first webpage in the vicinity of the display of the particular resource (pop-up window displayed in the vicinity of the displayed information, or channel, providing supplemental information such a listing of additional channels or programs that might be of interest to the user) (column 5, lines 55-62 and column 11, lines 20-23). It would have been obvious to one of ordinary skill in the art, having the teachings of Sponheim et al. and Williams et al. before him at the time the invention was made, to modify the method of displaying supplemental information of Sponheim et al. to include superimposing the display of supplemental information in the vicinity of the display of the particular resource, as taught by Williams et al. One would have been motivated to make such a combination in order to allow users to view all the relevant information corresponding to a particular subject at the same time; this allow users to be able to compare the information presented side-by-side.

3. Claims 19-20, 25-26, 31-32 and 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sponheim et al. U.S. Patent 6,639,610 and Williams et al. U.S. Patent 5,945,988, as applied to the claims above, and Harris et al. U.S. Patent 6,014,635.

Referring to claims 19-20, 25-26, 31-32 and 37-38, Sponheim et al. and Williams et al. teach all of the limitations as applied to the claims above. Specifically, Williams et al. teach correlating the supplemental information to a purchasable item, the supplemental information being obtained from the database and not being ordinarily evident from the webpage (Williams et al.: column 5, lines 55-62, column 6, lines 18-27 and column 11, lines 20-23). However, Sponheim et al. and Williams et al. fail to explicitly teach the displayed supplemental information including a consumer incentive available to the user and relating to the purchasable

item. Harris et al. teach a system for purchasing items (Harris et al.: column 3, lines 33-40) similar to that of Sponheim et al. and Williams et al. In addition, Harris et al. further teach consumer incentives available to the user relating to the items being purchased, wherein the consumer incentive is a discount for purchasing the items using a particular credit card (using the preferred discount credit system) (Harris et al.: column 2, lines 18-25 and lines 53-67, and column 3, lines 1-6). It would have been obvious to one of ordinary skill in the art, having the teachings of Sponheim et al., Williams et al. and Harris et al. before him at the time the invention was made, to modify the system of Sponheim et al. and Williams et al. to include the consumer incentives taught by Harris et al. One would have motivated to make such a combination in order to promote and increase the online sale of goods and services.

4. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar display of supplemental information according to user preference of profile.

Response to Arguments

5. Applicant's arguments with respect to claims 17-40 have been considered but are moot in view of the new ground(s) of rejection.

6. The applicant particularly points out that the database is local to the user's web browser. In the Sponheim et al. reference, information associated with a particular resource, such as a

URL assigned to a button on the displayed webpage, is stored in a cookie data structure, which is resident on the user's computer, as recited in column 3, lines 50-59. Therefore, since the information is stored in a cookie, which is stored on the system of the user, it is local to the user. Furthermore, the applicant particularly points out that the limitations of the claims recite displaying supplemental information particular to a user. The Sponheim et al. reference teaches allowing the user to assign URLs to buttons on the webpage and subsequently storing that information in a cookie. Therefore, when the user later clicks on the button, the URL particular to the user, or assigned by the user, is retrieved and the associated information displayed (column 4, lines 38-56 and column 6, lines 46-62).

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703) 305-0328. The examiner can normally be reached on Monday - Friday 8:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 10, 2004

JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100